



2-11-02

PATENT
454313-3154.20590
Box
SeqIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : AUDONNET et al.

Serial No. : 09/766,442

Filing Date : January 19, 2001

For : IMPROVED DNA VACCINES FOR FARM ANIMALS, IN PARTICULAR BOVINES AND PORCINES

Examiner : To Be Assigned

Art Unit : 1641

12/20/01
745 Fifth Avenue,
New York, NY 10151EXPRESS MAIL

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Date of Deposit: February 7, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to the Honorable Commissioner of Patents and Trademarks, Washington, DC 20231.

(Typed or printed name of person mailing paper or fee)

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Charles Jackson

AMENDMENT AND RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in response to the Notice to Comply with Requirements for Patent Applications containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed on December 7, 2001, setting a two-month term for reply. As this response is being submitted before the end

of the term for reply, it is believed that no fees are necessary, however, the Commissioner is authorized to charge any fee, or credit any overpayment, to Deposit Account 50-0320.

AMENDMENT

It is respectfully requested that the application be amended, without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as follows:

IN THE SPECIFICATION:

Please replace the previously filed sequence listing with the enclosed papers entitled -- Sequence Listing.--

REMARKS

A paper-copy of the Sequence Listing, and a computer readable form (floppy disk) of the Sequence Listing are enclosed. The Statements required by 37 C.F.R. §1.821(f) and (g) are set forth below.

Pursuant to 37 C.F.R. §1.821 (g), the undersigned hereby states that this submission, filed in accordance with 37 C.F.R. §1.821 (g), does not contain new matter.

Pursuant to 37 C.F.R. §1.821 (f), the undersigned hereby states that the content of the paper and computer readable copies of the Sequence Listing submitted in accordance with 37 C.F.R. §1.821 (c) and (e), respectively, are the same..

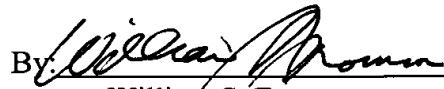
In view of the amendments, remarks and enclosures, the application complies with the requirements for computer readable disclosure of the biological sequences under 37 C.F.R. §1.821-1.825.

CONCLUSION

In view of the amendments, remarks and enclosures herein, it is respectfully submitted that the application now complies with all requirements set forth in the Notice. Accordingly, reconsideration and withdrawal of the Notice to Comply is respectfully requested.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By: 

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212-588-0800

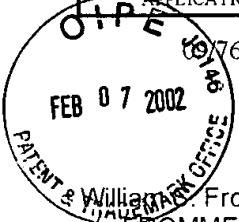
Enclosures: Paper and Diskette copies of Sequence Listing
Copy of Notice to Response To Notice To Comply
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/766,442	01/19/2001	Jean-Christophe Francis Audonnet	454313-3154.2



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CONFIRMATION NO. 8693
FORMALITIES LETTER



OC000000007166563

Date Mailed: 12/07/2001

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*

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PART 2 - COPY TO BE RETURNED WITH RESPONSE